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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/889,746
		Filing Date	December 31, 2001
		First Named Inventor	Ruelle, Jean-Louis
		Group Art Unit	1645
		Examiner Name	Baskar, P.
Total Number of Pages in This Submission		Attorney Docket Number	BM45352

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Teresa O. Bittenbender, Reg. # 47,425
Signature	
Date	Nov 27, 2002

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Serial No.: 09/889,746
Group Art Unit: 1645



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Teresa O. Bittenbender
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ATTORNEY FOR APPLICANT
November 27, 2002
DATE

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12/17/02

Attorney Docket No. BM45352

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ruelle, Jean-Louis
Serial No.: 09/889,746
Filed: December 31, 2001
For: Novel Compounds

Group Art Unit No.: 1645
Examiner: Baskar, P.

Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This Response to Restriction Requirement and Preliminary Amendment (herein after referred to as "Response and Amendment") is responsive to the Office Communication mailed November 14, 2002 (Paper No. 6) (herein referred to as "Office Action"). Applicants respectfully request entry of this Response and Preliminary Amendment.

This Response and Preliminary Amendment is timely filed. Should this Response and Amendment not be considered timely filed, Applicants hereby request a retroactive extension of time to file for the number of months required to maintain pendency of the Application. If an Extension is deemed necessary, please consider this Paper to comprise a Petition for such an Extension and authorization to charge Deposit Account No. 50-0258 for the associated fees.

Remarks

Claims 25-46 were pending. Claims 25-46 were subject to a five (5) way Restriction

Serial No.: 09/889,746
Group Art Unit: 1645

Requirement and a species election requirement between SEQ ID NOS:1-8.

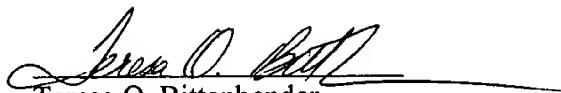
Election/Restriction

Applicants hereby elect to prosecute Group I (claims 25, 27, 29, 31, 32, 35, 40, 41 and 44, drawn to a polypeptide, fusion protein, vaccine and a method for inducing an immune response using a polypeptide. Further, Applicants hereby elect to prosecute SEQ ID NO:2.

Closing Remarks

Entry of the Response and Amendment and allowance of the pending claims are respectfully requested.

Respectfully submitted,



Teresa O. Bittenbender
Registration No. 47,425
Attorney for Applicant

November 26, 2002

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